

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 8, 2016 AT 2:30 P.M.**

The Meeting was called to order at 2:30 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; Deputy City Clerk: Soulinnee Phan.

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

LAMM Having been appointed to read the minutes of the City Council proceedings of August 1, 2016, reported having done so, found same correct.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

RECONSIDERATION - ORDINANCE -20359

STREET & ALLEY VACATION 16003 - VACATING A PORTION OF THE WEST ONE-HALF OF SOUTH 98TH STREET RIGHT-OF-WAY SOUTH OF THE INTERSECTION WITH ANDERMATT DRIVE:

CHRISTENSEN Motion to reconsider Ordinance No. 20359 to have action on 08/15/16.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

STREET & ALLEY VACATION 16003 - VACATING A PORTION OF THE WEST ONE-HALF OF SOUTH 98TH STREET RIGHT-OF-WAY SOUTH OF THE INTERSECTION WITH ANDERMATT DRIVE - Jeff Kirkpatrick, City Attorney, came forward and explained this was approved by Council last week and we are requesting a utility easement be added to this vacation, it was not included in the original document. Discussion followed.

This matter was taken under advisement.

APPLICATION OF MSKDJ, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 32 FEET BY 72 FEET ON THE LAWN SOUTH OF BUILDING AT 575 FALLBROOK BOULEVARD ON AUGUST 20, 2016 FROM 11:00 A.M. TO MIDNIGHT - Dallas Schilling, 575 Fallbrook Blvd., Suite 190, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

MAYOR'S VETO MESSAGE ON ORDINANCE NO. 20363 - AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE TO INCREASE RECYCLING IN LINCOLN BY REQUIRING WASTE HAULERS TO OFFER CURBSIDE RECYCLING SERVICE TO CUSTOMERS, DIVERTING CORRUGATED CARDBOARD AND OTHER PAPER RECYCLABLES AWAY FROM THE LANDFILL, INCREASING CAPACITY OF THE FREE CITY RECYCLING DROP OFF SITES, IMPROVING DATA TRACKING ON RECYCLING, AND IMPLEMENTING A COMMUNITY WIDE RECYCLING EDUCATION CAMPAIGN:

CHRISTENSEN Moved to place letter on file.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None. Mayor's veto stands.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JUNE 30, 2016 - CLERK read the following resolution, introduced by, Cyndi Lamm, Roy Christensen who moved its adoption:

A-89898 BE IT RESOLVED by the City Council of Lincoln, Nebraska:

That during the month ended June 30, 2016 \$76,132.16 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all funds balances.

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Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON JULY 27, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS ON JULY 27, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 22, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF GENG YE FOR LAM KUAI FANG, LLC DBA PERFECT DINER AT 2855 NORTH 27TH STREET - CLERK read the following resolution, introduced by Cyndi Lamm, Roy Christensen, who moved its adoption:

A-89899 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Geng Ye for LAM KUAI FANG, LLC dba Perfect Diner at 2855 North 27th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 22, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF SENAY GHEBREYOHANNES FOR TEMENAY CORP. DBA MUM'S LIQUOR AT 2202 O STREET - CLERK read the following resolution, introduced by Cyndi Lamm, Roy Christensen, who moved its adoption:

A-89900 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Senay Ghebreyohannes for Temenay Corp. dba Mum's Liquor at 2202 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 22, 2016 AT 3:00 P.M. ON THE APPLICATION OF ZIPLINE BREWING CO., LLC DBA ZIPLINE BREWING CO., LLC FOR A CLASS AB LIQUOR LICENSE AT 5740 HICOTE DRIVE - CLERK read the following resolution, introduced by Cyndi Lamm, Roy Christensen, who moved its adoption:

A-89901 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Zipline Brewing Co., LLC dba Zipline Brewing Co., LLC for a Class AB Liquor License at 5740 Hicote Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 22, 2016 AT 3:00 P.M. ON THE APPLICATION OF BJB VENTURES, LLC DBA RABBIT HOLE BAKERY FOR A CLASS C LIQUOR LICENSE AT 800 Q STREET - CLERK read the following resolution, introduced by Cyndi Lamm, Roy Christensen, who moved its adoption:

A-89902 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of BJB Ventures, LLC dba Rabbit Hole Bakery for a Class C Liquor License at 800 Q Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:

PRE-EXISTING SPECIAL PERMIT NO. 28D, REQUESTED BY UNION COLLEGE, TO EXPAND THE BOUNDARY OF THE PRE-EXISTING SPECIAL PERMIT FOR UNION COLLEGE AND AMEND THE SIGNAGE PLAN TO SHOW ADDITIONAL SIGNS ON THE SOUTHEAST CORNER OF SOUTH 48TH STREET AND PRESCOTT AVENUE, WITH THE EXPANDED BOUNDARY TO INCLUDE THE AREA LEGALLY DESCRIBED AS LOTS 1-16, BLOCK 31, AND LOTS 5-12, BLOCK 30, COLLEGE VIEW AND ADJACENT VACATED RIGHTS OF WAY ALONG WITH ADDITIONAL VACATED RIGHT-OF-WAY, ALL LOCATED IN THE SE 1/4 OF SECTION 5-9-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT SOUTH 48TH STREET AND PRESCOTT AVENUE.

SPECIAL PERMIT NO. 16031, REQUESTED BY SAPP BROS., TO INSTALL AN 18,000-GALLON PROPANE STORAGE TANK AND PUMP, ON PROPERTY LEGALLY DESCRIBED AS LOT 1, SAPP BROTHERS 1ST ADDITION, LOCATED IN THE SW 1/4 OF SECTION 4-10-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 5925 CORNHUSKER HIGHWAY. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

SPECIAL PERMIT NO. 16035, REQUESTED BY STANFORD MADLOCK, TO ALLOW FOR A SMALL BATCH CONCRETE DISPENSING UNIT ON EXISTING TRUCKING COMPANY SITE, ON PROPERTY LEGALLY DESCRIBED AS A PART OF LOT 2 OF POLIVKA'S ADDITION ALSO KNOWN AS ARBOR ROAD SECOND ADDITION, CONDOMINIUM UNIT #6 SECOND AMENDMENT, LOCATED IN THE NW 1/4 OF SECTION 28-11-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 6120 ARBOR ROAD. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 16043 TO PRE-EXISTING SPECIAL PERMIT #28C, UNION COLLEGE, APPROVED BY THE PLANNING DIRECTOR ON JULY 28, 2016, TO AMEND THE CAMPUS SIGNAGE PLAN TO SHOW A NEW SIGN AND A SIGN TO BE REMOVED ON THE NORTHEAST CORNER OF SOUTH 48TH STREET AND PRESCOTT AVENUE, GENERALLY LOCATED AT 3800 S. 48TH STREET.

LIQUOR RESOLUTIONS

APPLICATION OF DOWN THE HATCH, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 80 FEET AT 5601 NORTHWEST 1ST STREET ON AUGUST 13, 2016 FROM NOON TO 8:00 P.M. - PRIOR to reading:

CHRISTENSEN Moved to Withdraw the application.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

This application, having been WITHDRAWN, was assigned the **File #38-4669** & was placed on file in the Office of the City Clerk.

APPLICATION OF MSKDJ, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 32 FEET BY 72 FEET ON THE LAWN SOUTH OF BUILDING AT 575 FALLBROOK BOULEVARD ON AUGUST 20, 2016 FROM 11:00 A.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89903 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of MSKDJ, Inc. for a special designated license to cover an outdoor area measuring approximately 32 feet by 72 feet on the lawn south of building at 575 Fallbrook Boulevard, Lincoln, Nebraska, on August 20, 2016, between the hours of 11:00 a.m. and midnight, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

AMENDING SECTION 12.08.270 OF THE LINCOLN MUNICIPAL CODE TO EXPAND THE LIST OF OUTDOOR AND INDOOR CITY OWNED LOCATIONS WHERE ALCOHOLIC BEVERAGES CAN BE SERVED FOR SPECIFIC ACTIVITIES AND EVENTS - PRIOR to reading:

ESKRIDGE Moved to Amend Bill No. 16-78 as follows:

1. On page 1, line 2, delete "Tower Square".
2. On page 1, line 18, delete "Tower Square".
3. On page 2, lines 1 through 3, delete entire subsection (e).
4. On page 2, lines 4 through 7, rename subsections "(f)" and "(g)", as "(e)" and "(f)".

Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: NONE.

CLERK Read an ordinance, introduced by Carl Eskridge, an ordinance amending Section 12.08.270 of the Lincoln Municipal Code relating to Alcoholic Liquor Prohibited; Exceptions and Permit Requirements to include Tower Square, Auld Pavilion, and Jayne Snyder Trails Center in subsections (c) and (d); and repealing Section 12.08.270 of the Lincoln Municipal Code as hitherto existing, the third time.

RAYBOULD Moved to pass the ordinance as amended.

Seconded by Fellers & carried by the following vote: AYES: Camp, Eskridge, Fellers, Gaylor Baird, Raybould; NAYS: Christensen, Lamm.

The ordinance, is being numbered #20364, is recorded in Ordinance Book 31.

RESOLUTIONS - 1ST READING

REAPPOINTING JANE RAYBOULD TO THE PUBLIC BUILDING COMMISSION FOR A TERM EXPIRING AUGUST 1, 2020.

REAPPOINTING MARY SWEENEY TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 14, 2019.

APPOINTING KENDALL WEYERS TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 14, 2019.

REAPPOINTING CRAIG GIES AND DAVID L. JOHNSON TO THE BUILDING CODE BOARD OF APPEALS FOR TERMS EXPIRING APRIL 1, 2019.

REAPPOINTING JANET GOODMAN BANKS AND JASON HELLBUSCH TO THE STAR TRAN ADVISORY BOARD FOR TERMS EXPIRING OCTOBER 20, 2019.

APPOINTING SHANNON ROWEN TO THE CITY PERSONNEL BOARD FOR A TERM EXPIRING JUNE 22, 2021.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JULY 16-31, 2016.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND AMALGAMATED TRANSIT UNION (ATU) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2018.

ADOPTING A COMPREHENSIVE OPEN DATA INITIATIVE FOR TIMELY AND CONSISTENT PUBLICATION OF PUBLIC INFORMATION THAT FOSTERS ACCESSIBILITY, ACCOUNTABILITY, TRANSPARENCY, AND INNOVATION.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 11, 2016 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X", and repealing Ordinance No. 20224, passed by the City Council on August 10, 2015, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E" TO BE EFFECTIVE AUGUST 11, 2016 - CLERK

read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E", and repealing Ordinance No. 20225, passed by the City Council on August 10, 2015, the first time.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE TO ADD LANGUAGE FOR THE NEW UNREPRESENTED “W” GROUP - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 2.76 of the Lincoln Municipal Code relating to Personnel System by amending Sections 2.76.040, 2.76.130, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.370, 2.76.380, 2.76.385, 2.76.395, and 2.76.450 and repealing Sections 2.76.040, 2.76.130, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.370, 2.76.380, 2.76.385, 2.76.395, and 2.76.450 as hitherto existing, the first time.

ORDINANCE CREATING A PAY PLAN FOR EMPLOYEES IN A PAY RANGE PREFIXED BY “W” - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "W", in accordance with Section 2.76.120 of the Lincoln Municipal Code, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER “W” TO DELETE THE CLASSIFICATIONS OF “EMPLOYMENT MANAGER”, “PUBLIC UTILITIES ADMINISTRATOR”, “PUBLIC UTILITIES COORDINATOR”, “ANTELOPE VALLEY PROJECT MANAGER”, “TRAFFIC ENGINEER”, AND “ASSISTANT PLANNING DIRECTOR” - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by the letter "W", by deleting the job classification of "Employment Manager", "Public Utilities Administrator", "Public Utilities Coordinator", "Antelope Valley Project Manager", "Traffic Engineer", and "Assistant Planning Director", the first time.

ADJOURNMENT

2:52 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of August 8, 2016.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Soulinnee Phan, Deputy City Clerk

Rhonda M. Bice, Office Specialist

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 8, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; Deputy City Clerk: Soulinnee Phan.

ONE AND SIX YEAR STREETS & HIGHWAYS PROGRAM

Council Chair Gaylor Baird: This Public Hearing is held each year to fulfill State Statutory Requirements for the One and Six Year Streets and Highways Program and also serves as the Public Hearing for the City's Capital Improvements Program. It should be noted that the C.I.P. is a funding document only. The One Year Program lists projects proposed for final design, right-of-way acquisition, construction or study during fiscal year 2017. The second through sixth year (FY 2018-2022) program lists those projects which are in some phase of development or will enter the street planning process. The program was identified on the Public Hearing Notice, advertised in the Lincoln Journal Star on Sunday, July 17th, 2016 plus being placed on the City's website and on Channels 5, 10 and 21.

Citizens have 10 days from today to submit any statements or exhibits to the Public Works Department. Therefore, all statements and exhibits received on or before, August 18, 2016 will become a part of the Public Hearing Record. These statements should be forwarded to Roger Figard, City Engineer, Engineering Services, 949 West Bond Street / Suite 200, Lincoln, Nebraska 68521.

The information received will be evaluated by the Public Works Department, and subsequently by the City Council. Final action will be taken by City Council resolution adopting the first two years of the C.I.P. budget.

The State Statutory Requirement ensures that an integrated system of public roads is provided for the general welfare of the State, Counties and Municipalities. The program is administered by the State Board of Public Roads Classifications and Standards.

Capital Improvement Program for fiscal years 2017 thru 2022 reflects an average annual expenditure of nearly \$39.32 million dollars. This average annual expenditure is comprised of \$28.62 million dollars of City Revenues(i.e. Wheel Tax & City share of Gasoline tax), \$6.8 million in Federal Aid and \$3.9 million in other funds (Includes the Railroad Transportation Safety District).

Roger Figard, Public Works, came forward. The One and Six as required by the State is actually a separate, additional public hearing in addition to the City's CIP, in order to receive our share of the State Highway Allocation Funds. The program we're submitting to the Board of Public Roads is consistent & the same as our Transportation Streets & Highways One & Six. The one year program for 2017 lists projects proposed for final design, right-of-way acquisition, construction or engineering such as: the East Beltway, South Beltway, Northwest 48th Street from O St. to Adams, Yankee Hill Rd. From 70th to Hwy. 2, West A Street from Southwest 40th to Folsom Pedestrian Improvements for new schools, Pine Lake Rd. From 61st Street & Hwy. 2, Rokeby Road from 70th to 84th, 33rd and Cornhusker and the BNSF RTSD Program, Pedestrian & Bicycle Capital Improvement Program. Additionally, the One Year Program includes projects which continue through the entire 6 year program such as: traffic optimization & management, studies, preliminary engineering, right-of-way, construction, asset records, safety & operational improvements, sidewalk maintenance & repair, residential rehabilitation, intersection improvements, roadway & bridge rehabilitation & potential impact fee funded projects. For the rest of the program the State still has a One & Six, the City has Two & Four Program since we approve two budget years at once now. The second through the six program 2018-2022 includes projects also identified for continuation of projects from year one in addition to some projects that are in some phase of development or will enter the street planning process. Those include the ongoing EastBeltway, South Beltway, West A, Pedestrian Improvements for new schools, Pine Lake Rd. From 61st Street & Hwy. 2, 33rd and Cornhusker and the BNSF RTSD Program, Pedestrian & Bicycle Capital Improvement Program. The only additional project that moves into the Six Year Program is West A Street From SW 40th to Folsom Street. There is a requirement for an annual public hearing so this is just for the first year & we'll be back next year even though the City approves a 2 year budget.

**2016-2018 MAYOR'S RECOMMENDED BIENNIAL OPERATING BUDGET
& CAPITOL IMPROVEMENT PROGRAM 2016/18 - 2021/22**

Deputy City Clerk Phan: As part of the Mayor's proposed budget, the budget also proposes to take the following action allowed by LB 989 as passed by the 1998 Nebraska State Legislature.

1. The Mayor's Recommended Budget anticipates the use of allowable growth, if any, in the tax base above the 2.5% already provided by LB 989 for improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation, and any personal property valuation over the prior year. This change is estimated as an increase of 1.8% pending certification of final valuations from the County Assessor's office. It is the City's intention to utilize the final percentage change or the 2.5% increase, whichever is greater, provided for by the certified final valuations, to increase the restricted funds base and to utilize various other lid exemptions provided in LB 989. An additional 1% of lid authority can be authorized by a super majority (5) vote of the City Council. It is the Administration's intention to ask for this additional authority in the final budget resolution.

2. The city intends to carryover all unused restricted fund authority from prior and current fiscal years as well as any unused restricted fund authority from the 2015-16 budget to future fiscal years. This unused restricted fund authority is estimated at up to \$9,000,000 but depends upon final completion of lid documents to be filed with the State Auditor's Office. It is the City's intention to carryover all unused restricted funds authority as determined by final completion of the forms.

**THE FOLLOWING ORDINANCES & RESOLUTIONS HAD
PUBLIC HEARING ON 8/08/16 IMMEDIATELY FOLLOWING
THE REGULAR CITY COUNCIL MEETING WHICH BEGAN AT 2:30 P.M.
(Action Dates are Indicated for Each Item)**

PUBLIC HEARING

APPROVING THE ONE AND SIX YEAR STREET AND HIGHWAY PROGRAM, THE 2016-2018 CITY OF LINCOLN BIENNIAL BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2016-2018 (ACTION DATE: 8/22/16) - Richard Schmeling, 4612 Van Dorn Street, came forward and stated he feels we have made progress with StarTran and wanted to thank the Mayor for including additional funding in the budget, and City Council, for not making cuts to the StarTrans budget. We need to maintain funding to StarTran to ensure we will be able to make improvements needed.

Amy Eidenmiller, 1415 Kark Lane, came forward and thanked City Council and the Mayor for not forgetting StarTran and is in favor of the budget.

Ben Day, 2125 140th Street, Raymond, came forward and stated he is in favor of the new rate schedule increases for Lincoln Water System. Mr Day said he has been a Water Waste & Water Engineer for almost 20 years, and feels we need to maintain our water system structure. Lincoln continues to see breaks of older pipes and it is much cheaper to be proactive with our aging pipes.

John Camp, Council Member, asked Mr. Day if he was aware the water side of the bill would go up 15.1% each of the next two years, not 5%, and the wastewater is projected to go up 20.5% the first year and 18.8% the second year.

Mr. Day stated the reason for that is as rates go up people tend to conserve water and that impacts revenue as well, and he is aware of the increased amounts. Discussion followed.

Erin Hunt, 8404 Indian Hill, Omaha, came forward and stated she is in favor of the new rate schedule increases for Lincoln Water System. In 2013 Ms. Hunt served as the Project Manager for Lincoln Water System Master Plan. During her time in that position an assessment was done on Lincoln's Water Replacement Plan and it was determined the level of replacement needed to be increased to 7 miles per year. The recommendations from of staff for the increase of water rates is consistent with our findings in 2013.

Roy Christensen, Council Member, asked if Ms. Hunt was aware the rate increase would be between 15 and 20 percent each year.

Ms. Hunt said yes, she was aware of this.

Carl Eskridge, Council Member, asked if this increase would be a service charge fee.

Donna Garden, Public Works Asst. Director, stated that is correct, your bill is made up of two pieces that include a service fee and the usage fee. This entire rate increase is applied to our service fee, for the very reason that Mr. Day and Ms. Hunt talked about. We are trying to adjust this so it meets the level of our fixed costs. The rate overall is actually a 5 percent increase to the average household.

Mr. Eskridge stated the information given to Council shows Lincoln is at 5.75 percent for service charge, while other cities in our State pay a minimum of at least twice of what we pay, and in some cases even higher. So it looks like we are way under where other cities are in terms of services charges. Discussion followed.

Ms. Garden said that is correct, our service fee seen on a bill will be at 34 percent and our fixed costs are at 42 percent.

Trent Fellers, Council Member, inquired what the monthly charge is to someone that does not use any water.

Ms. Garden said they would be charge the service fee, of around \$8.00. Discussion followed.

Mr. Fellers inquired why increase the fixed fee portion instead of the usage fee portion of the bill.

Ms. Garden said with this increase our service fee will be increased to 34 percent and our fixed costs are at 42 percent. Discussion followed.

Mr. Camp stated in the information provided to Council the rate increase shows the average household would save .39 cents per month if we drop from a 5 to 3 percent increase. With doing some calculations the fees doesn't fit with just the increases you have on the meter amount, they would go up more than that.

Ms. Garden stated the household amount would increase by 5 percent. Discussion followed.

John Erixson, Deputy Director for the Nebraska Forest Service, 6100 Saltillo Road, came forward to share some information related to Emerald Ash Borer (EAB), and what communities should be expecting as the insect invades our area. We will be addressing this problem for the next 20 years, it is impossible to stop the spread of the Emerald Ash Borer. The cost of removing dead trees is two to three times higher than it is to remove a declining tree. We need to address this problem as the Ash trees will be a risk to life, property and substantially increases in liability. Discussion followed.

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Kyle Fischer, Lincoln Chamber of Commerce, 1128 Lincoln Mall, Suite 100, came forward in favor of the budget, stating the budget put forward by the Mayor is a good budget, and the Council made some minor adjustment to the budget that kept the property tax rate at what it is today. The Chamber has no issues with this budget, but is not supportive of moving wheel tax dollars back into the snow construction fund. Snow removal should come from the general fund as it is something we all need done, and it should not come from the just people that license their car or buys gas. Discussion followed.

Marian Malone, 6018 Old Farm Circle, came forward to discuss the budget for StarTran and feels the City should give more money to our bus system. Ms. Malone wanted to thank the Mayor who has always been in support of public transportation. Discussion followed.

Ed George, 3011 H Street, came forward stating he currently uses StarTran everyday. He feels that the quality of life is most important and StarTran is a very important part of that.

Kathryn Johnston, 4540 North 69th Street, came forward and stated she feels StarTran is getting better with an increase in hours for bus service. But the funding is running low and more money is needed.

John Baker David, 3201 South Street, came forward and stated he has concern about the way the bus routes loop and go downtown, but not everyone likes to go downtown. With a few changes, he feels this would increase riders and save people time. Mr. David is requesting that we put a hold on this for two weeks to go over changes.

Kent Seacrest, Seacrest & Kalkowski Law Firm, 1111 Lincoln Mall, Suite 350, representing Van Dorn Street Coalition, came forward stating they are in favor of the new rate schedule increases for Lincoln Water System. This increase is essential for the growth of Lincoln to continue. Discussion followed.

Mr. Eskridge asked Ms. Garden about the water systems growth and what the rates would do to help the system grow.

Ms. Garden came forward to discuss future plans of the water system. There are a number of projects in the CIP and a lot of them apply to the entire City. A new water well will be going in within the next two years, and we will be finishing a water well we have already started. There are some pump stations around town as well as other street pump stations in the north part of town.

Russell Miller, 341 South 52nd Street, came forward and stated he is in favor of the 5 percent increase in water rates and feels that we need to keep up with our deteriorating infrastructure. Please keep the water main replacement at the recommended 7 miles per year and keep up with Lincoln's growth.

Patty Pansing Brooks, State Senator, 1925 Dakota Street, representing Legislative District 28 in the Nebraska Legislature, came forward and stated she is interested in the entire budget, but today she wanted to speak about the Emerald Ash Borer (EAB). For the past two years she has been working with communities on a bipartisan basis in State Legislation, which would provide communities with State Assistance in preparing for the impending EAB crisis. Ms. Pansing Brooks said she feels that the Emerald Ash Borer should be funded at the level that Parks & Rec. Department has recommended.

Cyndi Lamm, Council Member, thanked the Senator for attending the Budget Meeting, and inquired if when the Senator brings this bill forward in the legislature, will it be for a 50/50 funding.

Senator Pansing Brooks said yes, this needs to be a state wide and community wide effort. Discussion followed.

Kendall Weyers, 2443 South 19th Street, came forward and stated he is a Certified Arborist, and feels we should not waste time and we need to take action now on dealing with the Emerald Ash Borer. Mr. Weyers is requesting that Council approves the full funding for the Emerald Ash Borer as proposed by the Mayor.

Jane Raybould, Council Member, stated at one time it was the Emerald Ash Borer was being considered in a StormWater Bond, and inquired about the benefits of planting more trees and being proactive regarding this issue. Discussion followed.

Douglas Campbell, 4629 Hawthorn Drive, came forward and stated Lincoln has a great appearance and he feels more money should be put towards Emerald Ash Borer, he feels we have time and can start planting trees now.

John Cariotta, 6310 Mesaverde Drive, came forward and stated he has had discussions with several arborists and they expect the price of removing Ash Trees to quadruple, and feels we need keep the levels at what the Mayor has proposed.

DaNay Kalkowski, Seacrest & Kalkowski Law Firm, 1111 Lincoln Mall, Suite 350, representing Northern Lights LLC and 1640 LLC, came forward in favor of the proposed water and sewer rate increases. Ms. Kalkowski stated her clients are looking forward to the continued growth in Lincoln to provide residents with a variety of choices in different parts of the city. These water increases are essential in assuring the availability of funding that has been shown in the CIP, that would support the infrastructure for these new growth areas.

Diane Bartels, 1801 Mindora Drive, came forward and stated she is in favor of the StarTran budget, and feels everyone should have access to public transportation.

Peter Smith, 900 South 34th Street, came forward and stated he is an Urban Forester and a Certified Arborist with more than 20 years experience helping other Cities and Towns address the needs of their trees. He asked City Council to be proactive with the Emerald Ash Borer. Mr. Smith urged Council to approve the request of funds for EAB or to consider doing even more, there is still time to start planting many more trees to help replace those that will be removed.

Mr. Eskridge asked Mr. Smith when he thinks the Emerald Ash Borer will be here.

Mr. Smith stated he as well as many other experts feel it is already here and is getting a foot hold. Expect to hear many reports around Lincoln within the next 3 to 4 year period. This will affect not only public property but will also affect private property. Discussion followed.

Richard Esquivel, 733 W Cuming Street, came forward and stated he is against the increased rate fees for the Water System. Mr. Esquivel feels he already pays several taxes and fees, he lives on a fixed income as many others do.

Jane Kinsey, 6703 Hawkins Bend, representing Watch Dogs of Lincoln, came forward and stated she is against increasing fees, but is for the budget cuts. In the Mayor's original budget, he wants a tax increase on the backs of fee hikes for Wastewater, Downtown Parking fees, Parks & Rec. fees, Health Department fees, Waste Hauling fees, Water and Waste Water fees, and the City dividend on the electric bill of citizens. We have the highest wheel tax in the US, and five counties in Nebraska have no wheel tax at all. Wages remain the same, and taxes continue to go up. We need some creative thinking and not just dipping into the tax payers pocket to maintain City Government.

Mike Eckert, Civil Design Group, 8535 Executive Woods Dr, Suite 200, representing Rokeby Coalition, are in favor of the water and wastewater rate increases. There are some new areas of town we need to open up and there is a need for the sewer and water mains to do this. In comparison to surrounding communities water is still very affordable here at \$45.00 per month in Lincoln. Discussion followed.

Jean Eileen Durgin - Clinchard, 638 North 25th Street, came forward and stated she is retired and on a fixed income and feels things need to be done preventatively. She is in favor of the budget and is encouraging Council not to make cuts to the budget.

Rosina Paolini, 1850 Dakota Street, came forward and thanked Council for their service and is in support of public transportation as well as other public services, and feels these services need to be made available to everyone. Ms. Paolini also feels any further cuts to the budget would just be amputations to those departments. She feels snow removal is part of the street fund, so if we take snow removal out of the general fund, we then end up taking more away from other services. Discussion Followed.

Mike Renken, 2715 Docs Drive, came forward and stated he hopes we continue to move forward, and feels much more needs to be done. He has concerns about the cuts in Planning and Urban Development. These departments are very important and he feels that we do not want or need to be making cuts to staff.

June Pederson, 4501 Dryden Place, came forward and stated she took the Taking Charge Survey and feels we should not be making any cuts to the budget, and if necessary an increase in our taxes. Ms. Pederson was pleased with the way the budget looked until she saw the cuts that Council had made to the budget. Ms. Pederson would like Council to reconsider these cuts they have proposed.

Deb Andrews, 1235 West A Street, came forward and stated she is in support of the budget with the cuts and no tax increases.

Pat Anderson, 1500 South 11th Street, came forward and stated she is in support of a tax increase, for her the increase would be about \$12.00 a year. Ms. Anderson also stated she does not mind paying a tax increase, and feels quality of life is very important and is willing to pay for it.

Marilyn Kruger, 2324 A Street, came forward and stated she is a employee of StarTran and she is in favor of the entire budget from the Mayor. She is happy the cuts are not coming out of StarTran and is willing to pay more in taxes. Ms. Kruger asked Council to rethink their budget cuts.

Christ Oakum, 330 NW 13th Street, came forward and stated she is fine with paying more in taxes, but does not support the budget cuts. She feels the cuts proposed would severely affect our quality of life, by not putting as much money into what we need to.

Brayden McLaughlin, 2041 South 18th Street, came forward and stated the items he was here to speak about have already been addressed. Discussion followed.

5:56 - Recess.

6:30 p.m. - Council reconvened.

Coby Mach, Lincoln Independent Business Association (LIBA), 620 North 48th Street, came forward and stated they are in favor of the changes Council is proposing to avoid a property tax increase. LIBA also feels they have suggestions for saving tax money. Stating their disappointment in some of the fee increases that are in the budget, and the proposed shifting of funds from road construction to snow removal. LIBA feels changes still need to be made to the CIP.

Wes Oestreich, 6610 Plumwood Lane, representing Lincoln Members of the Associated General Contractors, Nebraska Building Chapter, came forward in opposition of the reduction in the general fund section of the budget for Building and Safety Department. Mr. Oestreich stated making this cut would be cutting all funding for minimum housing inspections, fire and bomb investigations, plus other expenses for general public safety not covered by fee revenue. Mr. Oestreich stated you will still be using funds in a way they were not intended to be used from the general fund.

Ms. Raybould asked if inspectors will be able to keep up with the growth and demand of the contractors in the City with all of the projects going on.

Mr. Oestreich said there is a concern that we need more inspectors. Staff replacement is critical and the feeling is that they are currently under staffed sometimes on the field inspections. And to further cut funding would delay inspections, and create additional expenses to the construction cycle. Discussion followed.

Mr. Fellers stated Mr. Oestreich had mentioned there were previous increases in the fees to this fund that were supposed to go to staff. Mr. Fellers, then asked, if those increases went to staff at the time those rate increases happened, and what areas were they planned for.

Mr. Oestreich said it was his understanding that those positions were not yet filled.

Mr. Fellers inquired what areas they were for.

Mr. Oestreich stated he did not know specifics, he thought it was department wide.

Mr. Fellers inquired about the amount of inspections they were behind on.

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Mr. Oestrich said it was for work in progress, fees are paid in advance and there are several inspections that need to be completed. Discussion followed.

Ms. Raybould inquired when construction plans are submitted for review if they have noticed any delay in Building & Safety on getting plans approved.

Mr. Oestrich stated it really depends on the quality and complexity of the plan that is brought in. Discussion followed.

Tom Hardesty, 7811 Preserve Lane, representing Lincoln Cooling and Heating Contractors Association, Lincoln Plumbing Contractors Association, Mechanical Code Task Force, and Plumbing Code Task Force came forward and stated they are in opposition to the elimination of the general fund to Building & Safety. In 1996 then Mayor Johann had asked us to become self funded, and at that time we wanted and asked for insurances that those funds would be used as intended. The City is not doing what it needs to do by hiring new staff to get the inspections done, and the inspections have been backing up since there are more pressing issues than inspectors available.

Mr. Camp inquired if prior to the 1996 EO, it was it set up as general funds, and after that you became self funded.

Mr. Hardesty said yes.

Bo Jones, 3801 West Bucks Drive, representing The Home Builders Association and the 575 small businesses we represent, came forward in opposition to the general funds for Building & Safety being cut. We are approaching a record number of permits since building is strong now in today's economy, and would caution that while the bill looks high right now Building & Safety has a lot to do. They are taking deposits on work yet to be done, and the department needs to bring on additional staff to keep up with this pace. They feel it is not fair for a reduction to Building & Safety General Fund to pay for public services. That should not be passed on to the building community. Discussion followed.

Dana Karcher, 3925 B Street, Certified Arborist came forward and stated she feels we need to increase funds for the Emerald Ash Borer issue. We are taking a step backwards if we do not increase funding to EAB. We need to utilize the urban wood that will be created and reuse the wood so waste is not generated.

Leirion Gaylor Baird, Council Chair, asked about examples of what other communities have used the wood for once the trees are removed.

Ms. Karcher said chipping is the normal use, and can also be reused for the wood in benches as long and you are sure the wood is safe from any transfer of EAB. Discussion followed.

Meg Mikolajczyk, 4035 Holdrege Street, came forward and stated she feels the water rates should be increased to 5 percent and not just the 3 percent that Council is proposing. She feels this will be a negative impact to the Northeast part of Lincoln, which currently has older pipes that are in the most need of repair. She is willing to pay a higher fee to get the pipes replaced in her area.

Heather Nobert, 1525 South 24th Street, Nebraska Forest Service employee, came forward and stated she is for the EAB funding for the full amount, and not making any cuts to the EAB budget.

Mr. Eskridge asked what happens when Ash Trees start to die.

Ms. Nobert said trees become brittle at the top of the tree and branches start to fall. It can be hard to identify since it affects the tops of the trees first, which can be hard to detect.

Mr. Camp inquired about the time line.

Ms. Nobert said the insects are in the trees for 1-3 years prior to it being discovered, and is likely that EAB is already here. She also stated that 80 percent of these trees will be dead within 10 years. Discussion followed.

Charlie Schroeder, 5420 West Chancery Road, Amalgamated Transit Union (ATU) Local, came forward in support of the budget and feels we need to expand StarTran now. This expansion will help us down the road. Discussion followed.

Chad Blahak, Building & Safety Director, came forward to make one clarification to comments earlier, about hiring inspectors in the department. Since 2014 Building & Safety has hired an additional plumbing inspector, in 2015 we hired a building inspector and earlier this year we were approved to hire an electrical inspector. We have not advertised for the electrical inspector position as of yet, but do plan to and we are also in the process of adding a mechanical inspector. It was decided that we should wait on advertising for the mechanical inspector position until after the budget process.

Mr. Fellers inquired if there was a two year backlog in mechanical inspections, and if there is a need for another mechanical inspector.

Mr. Blahak did state with the mechanical inspections this has been one of the longer sections since the previous inspector addition, and he feels the back logs are increasing and not decreasing. Mr. Blahak feels that this is a good indicator for the need of a new inspectors. Discussion followed.

Steve Hubka, Finance Director, stated the position of mechanical inspector is already in the budget, they just have not hired this position yet. Discussion followed.

Mr. Fellers inquired about the fixed fees for the water rates.

Mr. Hubka stated service charge is more dependable and is more desirable, than something based on usage that can vary quite a bit.

Mr. Fellers asked if we were planning on doing revenue bonds to get more of those projects done faster.

Mr. Hubka said yes.

Ms. Raybould asked about the water main break rate project, and stated, it looks as if the break rate is increasing.

Ms. Garden stated some of the materials used in the past are thin walled and not holding up as long as they normally would. We are not getting the 100 year life out of our pipes, so we are requesting seven miles per year to be replaced. This is recommended by the master plan.

Ms. Lamm asked about the water main replacement since it is only part of the reason why the water fees are going up, and said she understands it will be \$1 Million per mile.

Ms. Garden stated that was correct. Discussion followed.

Rick Hoppe, Mayor's Office, came forward and stated that Lincoln has a low number of Chiefs in Police and Fire compared to other Cities.

Tom Casady, Public Safety Director, came forward and stated Lincoln has a low number of Assistant Chiefs, most departments of this size have at least two and sometime three Assistant Chiefs. Also, a new level of rank that Lincoln does not have between the Assistant level and first line of managers. Both of these departments are very low on managers. Discussion followed.

Mr. Hoppe stated a great deal of our funding comes from the State Legislature, and we need someone to be able to build good relationship with the States Senators. This is how we have been getting some of our funding for our programs, and it can be very successful. We do not have enough staff currently to have someone talking with the Senators all the time.

Mr. Camp asked if we could work more with our legislature team. We have a good relationship with them and they are there to represent the City and its citizens.

Mr. Hoppe stated you need someone there everyday to make a difference.

Diane Gonzolas, Mayor's Office, Citizens Information Center, came forward to discuss CIC and the stated the general fund is about 55 percent of their budget. User fees also fund some of the operations as well as the cable access fund. This department only has two full time staff and the other work is contracted out. CIC continues to do more with less as most of the departments do.

Lynn Johnson, Director of Parks & Rec., came forward and stated the EAB tree removal estimates it is a package it is not just tree removal. The package is for removal, replanting and staff positions along with inflation costs. Mr. Johnson stated the tree removal cost is less than \$1,000 a tree, state wide it is \$1,400 a tree. Discussion followed.

Mr. Camp asked if some of the excess in Keno funds could be used for EAB.

Mr. Johnson stated if you use the Keno funds it would take away from another project. Discussion followed.

Mr. Camp asked about the CIP, and stated if we stop the green light project then we would not need to take away from snow.

Thomas Shafer, Design and Construction Public Works, came forward to discuss the green light project and its funding. Mr. Shafer stated this project is from customers complaints about street lights not working. We need to have a good traffic system to keep cars moving. This project will take care of the 30 percent of our signals that currently have something wrong with them. Discussion followed.

Miki Esposito, Director Public Works & Utilities, stated 70 percent of the budget will be spent on roads. Discussion followed.

Mr. Eskridge asked if there is a savings in doing this now with Allo going in.

Mr. Shafer stated by doing this now we are taking advantage of some of the contractors in town and it could cost the city less. Discussion followed.

Ms. Raybould asked if the City had partnered with Allo Communications on the Green Light Project.

Mr. Shafer said yes, they are putting fiber in the City's cabinets.

David Young, Public Works & Utilities, came forward and stated the agreement with Allo is for them to install fiber to every cabinet in the first five years. The City then pays for the connection to the traffic cabinet, and the green light funds is set up to pay for this connection. Discussion followed.

Ms. Raybould stated some of the cabinets are twenty plus years old, and inquired if some of the money is going towards the upgrading or rehab of the cabinets.

Mr. Shafer said yes, that is also part of the green light project as well. Discussion followed.

Pat Leach, Library Director, came forward and stated the amount of the proposed bond in the CIP Project for a Central Library shows \$42 Million, and that is a presentable representation of the project. They have talked with potential partners and neighbors that might be interested in some kind of mixed use project. We feel this would be an exciting thing to happen in Downtown Lincoln. Discussion followed.

These matters were taken under advisement.

COUNCIL ACTION

APPROVING THE ONE AND SIX YEAR STREET AND HIGHWAY PROGRAM, THE 2016-2018 CITY OF LINCOLN BIENNIAL BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2016-2018. (ACTION DATE: 8/22/16)

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 5.41 SALVAGE, RECYCLING, AND COMPOSTING OPERATIONS, INCLUDING SALVAGE OPERATIONS; RECYCLING PROCESSING CENTER OPERATIONS; RECYCLING CENTER OPERATIONS; RECYCLING DROP-OFF OPERATIONS; AND COMMERCIAL COMPOSTING OPERATIONS (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

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A-89904 WHEREAS, the City Council adopted Resolution No. A-88520 on September 8, 2014 and is authorized under Chapter 5.41 of the Lincoln Municipal Code to establish and revise fees which the City may charge for permits for Salvage, Recycling and Composting Operations; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 5.41 Salvage, Recycling and Composting Operations and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the following schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Salvage, Recycling and Composting Operations Permit; Fee.

Each applicant shall pay a permit fee as follows:

- | | |
|--|-----------------------------------|
| (1) Salvage Operations | \$60.00 <u>\$65.00</u> |
| (2) Recycling Processing Center Operations | \$50.00 <u>\$55.00</u> |
| (3) Recycling Center Operations | \$50.00 <u>\$55.00</u> |
| (4) Recyclables Drop-off Operations | No Charge |
| (5) Commercial Composting Operations | \$60.00 <u>\$65.00</u> |

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Salvage, Recycling and Composting Operations Permit; Fee.

Each applicant shall pay a permit fee as follows:

- | | |
|--|-----------------------------------|
| (1) Salvage Operations | \$65.00 <u>\$70.00</u> |
| (2) Recycling Processing Center Operations | \$55.00 <u>\$60.00</u> |
| (3) Recycling Center Operations | \$55.00 <u>\$60.00</u> |
| (4) Recyclables Drop-off Operations | No Charge |
| (5) Commercial Composting Operations | \$65.00 <u>\$70.00</u> |

BE IT FURTHER RESOLVED that City Council Resolution No. A-88520 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.06 AIR POLLUTION, INCLUDING OPEN BURNING PERMITS (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89905 WHEREAS, the City Council adopted Resolution No. A-88521 on September 8, 2014 and is authorized under Chapter 8.06 of the Lincoln Municipal Code to establish and revise fees which the City may charge for burn permits; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.06 Air Pollution and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Open Burning Permit Fee

The fee for an open burning permit for industrial or commercial businesses shall be as follows:

~~\$150.00~~ \$155.00 per day on which burning is to take place

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Open Burning Permit Fee

The fee for an open burning permit for industrial or commercial businesses shall be as follows:

~~\$155.00~~ \$160.00 per day on which burning is to take place

BE IT FURTHER RESOLVED that City Council Resolution No. A-88521 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.08 BODY ART ESTABLISHMENTS, INCLUDING BODY ART ESTABLISHMENT PERMITS; BODY ART PRACTITIONER PERMITS; AND REINSTATEMENT FEES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89906 WHEREAS, the City Council adopted Resolution No. A-88522 on September 8, 2014 and is authorized under Chapter 8.08 of the Lincoln Municipal Code to establish and revise fees which the City may charge for body art establishments and body art practitioners; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.08 Body Art Establishments and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Body Art Establishment; Permit Fees

The fee for a body art establishment permit shall be as follows:

Body Art Establishment	Initial	Renewal
One (1) to five (5) stations	\$410.00 <u>\$420.00</u>	\$280.00 <u>\$290.00</u>
Each additional five (5) stations	\$170.00 <u>\$175.00</u>	\$130.00 <u>\$135.00</u>

Body Art Practitioner Permit; Fees

The fee for a body art practitioner permit shall be as follows:

Initial Fee	\$90.00 <u>\$95.00</u>
Renewal Fee	\$50.00 <u>\$55.00</u>

Body Art Establishment or Practitioner Suspended Permit; Reinstatement Fee.

Any person eligible for reinstatement as provided in Section 8.08.240, shall pay a reinstatement fee of ~~\$205~~ \$210 for a body art establishment permit and ~~\$50~~ \$55 for a practitioner permit in addition to any other applicable fees.

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Body Art Establishment; Permit Fees

The fee for a body art establishment permit shall be as follows:

Body Art Establishment	Initial	Renewal
One (1) to five (5) stations	\$420.00 <u>\$430.00</u>	\$290.00 <u>\$300.00</u>
Each additional five (5) stations	\$175.00 <u>\$180.00</u>	\$135.00 <u>\$140.00</u>

Body Art Practitioner Permit; Fees

(a) The fee for a body art practitioner permit shall be as follows:

Initial Fee	\$95.00
Renewal Fee	\$55.00

Body Art Establishment or Practitioner Suspended Permit; Reinstatement Fee.

Any person eligible for reinstatement, as provided in Section 8.08.240, shall pay a reinstatement fee of ~~\$210~~ \$215 for a body art establishment permit and \$55 for a practitioner permit in addition to any other applicable fees.

BE IT FURTHER RESOLVED that City Council Resolution No. A-88522 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.14 CHILD CARE PROGRAMS, INCLUDING PLAN REVIEW FOR NEW PROGRAMS; FEE FOR CERTIFICATE OF COMPLIANCE (INITIAL AND RENEWAL); AND SUSPENDED CERTIFICATE OF COMPLIANCE REINSTATEMENT FEE (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89907 WHEREAS, the City Council adopted Resolution No. A-88523 on September 8, 2014 and is authorized under Chapter 8.14 of the Lincoln Municipal Code to establish and revise fees which the City may charge for child care programs; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.14 Child Care Programs and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Plan Review and Certificate of Compliance Fees

The following fees are required:

Plan review for new, remodeled or relocated child care programs	\$125.00 <u>\$130.00</u>
Fee for certificate of compliance (initial or renewal)	
All other child care programs:	
Providing care for less than four hours per day	\$125.00 <u>\$130.00</u>
Providing care for four or more hours per day with:	
50 or less children	\$155.00 <u>\$160.00</u>
51 to 100 children	\$180.00 <u>\$185.00</u>

101 or more children	\$210.00 <u>\$215.00</u>
Suspended Certificate of Compliance; Reinstatement Fee	
Any operator eligible for reinstatement, as provided in this chapter, shall pay a reinstatement fee of \$125 <u>\$130</u> in addition to any other applicable fees.	
SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018	
Plan Review and Certificate of Compliance Fees	
The following fees are required:	
Plan review for new, remodeled or relocated child care programs	\$130.00 <u>\$135.00</u>
Fee for certificate of compliance (initial or renewal)	
All other child care programs:	
Providing care for less than four hours per day	\$130.00 <u>\$135.00</u>
Providing care for four or more hours per day with:	
50 or less children	\$160.00 <u>\$165.00</u>
51 to 100 children	\$185.00 <u>\$190.00</u>
101 or more children	\$215.00 <u>\$220.00</u>

The number of children shall be based on licensing capacity, if applicable.

Suspended Certificate of Compliance; Reinstatement Fee.

Any operator eligible for reinstatement, as provided in this chapter, shall pay a reinstatement fee of ~~\$130~~ \$135 in addition to any other applicable fees.

BE IT FURTHER RESOLVED that City Council Resolution No. A-88523 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.20 LINCOLN FOOD CODE, INCLUDING FOOD ESTABLISHMENT PERMITS; MOBILE FOOD UNITS; FOOD CATERING SERVICES; TEMPORARY FOOD ESTABLISHMENTS; REINSTATEMENT FEES; AND FOOD HANDLER AND FOOD MANAGER PERMIT FEES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89908 WHEREAS, the City Council adopted Resolution No. A-88524 on September 8, 2014 and is authorized under Chapter 8.20 of the Lincoln Municipal Code to establish and revise fees which the City may charge for food establishments permits, reinstatement fees, food handler permits, and food manager permits; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.20 Lincoln Food Code and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the following schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Food Establishment; Permit Fees

Any person who secures a food establishment permit under the Lincoln Food Code shall pay the appropriate fee as follows:

(1)	Food Establishment:		
	Food establishment -- new permit	\$525.00	<u>\$540.00</u>
	Food establishment -- renewal	\$360.00	<u>\$370.00</u>
	Each additional food preparation facility (new or renewal)	\$165.00	<u>\$170.00</u>
(2)	Mobile Food Unit:		
	New or renewal as additional facility	\$165.00	<u>\$170.00</u>
(3)	Food Catering Services:		
	Operating as an additional food preparation facility to an approved food establishment:		
	New or renewal	\$165.00	<u>\$170.00</u>
(4)	Temporary Food Establishment:		
(a)	Operating for a single event not to exceed fourteen consecutive days		
	Temporary food establishment	\$145.00	<u>\$150.00</u>
	With a related food establishment nonprofit organization	\$75.00	
		\$75.00	
(b)	Operating annually for more than one single event not to exceed fourteen consecutive days		
	Temporary food establishment	\$440.00	<u>\$370.00</u>
	Non-Profit Organization	\$220.00	<u>\$185.00</u>
(c)	Operating as an additional food preparation facility to an approved food establishment		
	New or renewal	\$165.00	<u>\$170.00</u>

- (5) Event Market:
 - One to five vendors ~~\$165.00~~ \$170.00
 - Each additional five vendors ~~\$165.00~~ \$170.00
- (6) Farmer's Market:
 - Basic Fee \$90.00
 - Plus: Vendor fee for each vendor selling foods other than fruits, vegetables, and products permitted by the Nebraska Department of Agriculture \$25.00

Reinstatement Fee
Any person eligible for reinstatement as provided within the Lincoln Food Code shall pay a reinstatement fee of ~~\$270~~ \$280 in addition to any other applicable fees. The Health Director shall not reinstate the permit until the reinstatement fee is paid.

- Food Handler and Food Manager Permit Fees
- (a) Any person who secures a food handler or food manager permit under the Lincoln Food Code shall pay the appropriate fee as follows:
 - (1) Food Handler Permit Fee \$ 20.00
 - (2) Restricted/Shift Food Manager Permit Fee \$ 20.00
 - (3) Food Protection Manager Permit Fee \$ 30.00

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

- Food Establishment; Permit Fees
- (a) Any person who secures a food establishment permit under the Lincoln Food Code shall pay the appropriate fee as follows:
 - (1) Food Establishment:
 - Food establishment -- new permit ~~\$540.00~~ \$555.00
 - Food establishment -- renewal ~~\$370.00~~ \$380.00
 - Each additional food preparation facility (new or renewal) ~~\$170.00~~ \$175.00
 - (2) Mobile Food Unit:
 - New or renewal as additional facility ~~\$170.00~~ \$175.00
 - (3) Food Catering Services:
 - Operating as an additional food preparation facility to an approved food establishment:
 - New or renewal ~~\$170.00~~ \$175.00
 - (4) Temporary Food Establishment:
 - (a) Operating for a single event not to exceed fourteen consecutive days
 - Temporary food establishment ~~\$150.00~~ \$155.00
 - With a related food establishment ~~\$75.00~~ \$80.00
 - Nonprofit organization ~~\$75.00~~ \$80.00
 - (b) Operating annually for more than one single event not to exceed fourteen consecutive days
 - Temporary food establishment ~~\$370.00~~ \$380.00
 - Non-Profit Organization ~~\$185.00~~ \$190.00
 - (c) Operating as an additional food preparation facility to an approved food establishment
 - New or renewal ~~\$170.00~~ \$175.00
 - (5) Event Market:
 - One to five vendors ~~\$170.00~~ \$175.00
 - Each additional five vendors ~~\$170.00~~ \$175.00
 - (6) Farmer's Market:
 - Basic Fee ~~\$90.00~~ \$95.00
 - Plus: Vendor fee for each vendor selling foods other than fruits, vegetables, and products permitted by the Nebraska Department of Agriculture ~~\$25.00~~ \$30.00

(b) Any person issued a new food establishment permit, other than a temporary food establishment permit, after November 30 and before April 15 of each year shall pay 67% of the new permit fee. Any person issued a new food establishment permit, other than a temporary food establishment permit, on or after April 15 and before June 1 shall pay the new permit fee and such permit shall be valid until May 31 of the following year.

Reinstatement Fee
Any person eligible for reinstatement as provided within the Lincoln Food Code shall pay a reinstatement fee of ~~\$280~~ \$290 in addition to any other applicable fees. The Health Director shall not reinstate the permit until the reinstatement fee is paid.

- Food Handler and Food Manager Permit Fees
- (a) Any person who secures a food handler or food manager permit under the Lincoln Food Code shall pay the appropriate fee as follows:
 - (1) Food Handler Permit Fee \$ 20.00
 - (2) Restricted/Shift Food Manager Permit Fee \$ 20.00
 - (3) Food Protection Manager Permit Fee \$ 30.00

BE IT FURTHER RESOLVED that City Council Resolution No. A-88524 shall be superseded by the terms of this resolution.

**REGULAR MEETING
AUGUST 8, 2016
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Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.24 NOISE CONTROL ORDINANCE, INCLUDING NOISE VARIANCES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89909 WHEREAS, the City Council adopted Resolution No. A 88525 on September 8, 2014 and is authorized under Chapter 8.24 of the Lincoln Municipal Code to establish and revise fees which the City may charge for noise variances; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.24 Noise Control Ordinance and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Variance Fee

Any person seeking a variance of the requirements of the noise control ordinance shall file an application with the health officer and shall submit a permit fee of \$125.00 \$130.00.

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Any person seeking a variance of the requirements of the noise control ordinance shall file an application with the health officer and shall submit a permit fee of \$130.00 \$135.00.

BE IT FURTHER RESOLVED that City Council Resolution No. A-88525 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.32 SOLID WASTES, INCLUDING SPECIAL WASTE PERMIT FEES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89910 WHEREAS, the City Council adopted Resolution A 88526 on September 8, 2014 and is authorized under Chapter 8.32 of the Lincoln Municipal Code to establish and revise fees and minimum quantities for the issuance of Special Waste Permits; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce the Special Waste Disposal provision of Chapter 8.32, and has determined that certain revisions are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the following schedule of annual permit fees, special fees, and minimum quantities is hereby established:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

A. Group 1: Wastes That May contain Free Liquids

1. Cooking oil and grease. Any quantity going to the Theresa Street Wastewater Treatment Plant Dump Station requires a permit, which permit may be issued as a blanket permit covering multiple disposals as provided on the permit. Annual Permit Fees: None.

Waste in excess of one gallon per month or one pound per load disposed at a waste disposal site other than the Theresa Street Wastewater Treatment Plant Dump Station requires a Special Waste Permit. Annual permit fee: ~~\$200.00~~ \$205.00.

2. Cooking grease trap waste. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites. Annual permit fee: ~~\$200.00~~ \$205.00.

3. Mud or sand from sumps or traps. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites. Annual permit fee: ~~\$200.00~~ \$205.00.

4. Septic tank waste. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fee: ~~\$200.00~~ \$205.00.

5. Chemicals and waste from portable or chemical toilets. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fee: ~~\$200.00~~ \$205.00.

6. Sewage or other organic residues or sludges. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fees: ~~\$200.00~~ \$205.00.

7. Sludges containing a liquid concentration of 80% or more by weight or material producing free liquids in a Standard Paint Filter Test. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.

For all other disposal sites - Annual permit fee: ~~\$200.00~~ \$205.00.

Group II: Petroleum-based Wastes

8. Petroleum type grease trap waste. Any quantity requires a permit. Annual permit fee: ~~\$345.00~~ \$355.00.

9. Sludges from petroleum tanks. Any quantity requires a permit - Annual permit fee: ~~\$345.00~~ \$355.00.

10. a. Used oil filters. Any quantity requires an annual permit - Annual permit fees:
Less than 220 pounds per month - \$75.00.
220 pounds or more a month - ~~\$345.00~~ \$355.00.

b. Petroleum contaminated soil and granular absorbents. Permitted Quantity: 220 pounds per month or more - Annual permit fee: ~~\$345.00~~ \$355.00.

c. Petroleum contaminated refuse or other materials except oil filters, soil and granular absorbents. Any quantity requires a permit - Annual permit fee:
Quantities up to 220 pounds per month - \$75.00
Quantities 220 pounds or more per month - ~~\$345.00~~ \$355.00.

11. Petroleum contaminated water. Permitted quantity: 55 gallons per month or more - Annual permit fee: ~~\$345.00~~ \$355.00.

12. Oil, lubricants, hydraulic fluids, fuels, and other petroleum products. Any quantity requires a permit. Permit issued only for incineration in a used oil burning heating unit - Annual permit fee: \$45.00

Group III: Empty Containers

13. Pressurized containers or containers that may explode upon crushing. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites: any quantity requires a permit - Annual Permit fee: ~~\$200.00~~ \$205.00.

14. Containers over five gallons in size. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites: Any quantity requires a permit - Annual Permit fee: ~~\$200.00~~ \$205.00.

15. Empty containers labeled "DANGER" or which once contained hazardous material. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites: Any quantity requires a permit - Annual permit fee: ~~\$200.00~~ \$205.00.

16. Fuel tanks. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites - Any quantity requires a permit - Annual permit fee: ~~\$200.00~~ \$205.00.

Group IV: Solvents, Absorbents, Filters, and Residues

17. Solvents, degreasers, strippers, thinners, and related products. Any quantity requires a permit. Annual permit fee: ~~\$200.00~~ \$205.00.

18. Refuse containing solvents, degreasers, strippers, or thinners. Any quantity requires a permit - Annual permit fee: ~~\$200.00~~ \$205.00.

19. Lime or other inorganic residues or sludges. Minimum quantities: twenty-five gallons or 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

20. Paint dry waste, filters, and paint contaminated material. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

21. Fly ash. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

22. Bottom ash. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

Group V: Hazardous or Toxic Chemicals or Chemical Products

23. Antifreeze or treatment chemicals for boilers, heat exchangers, cooling towers, and similar uses. Minimum quantities: Five gallons or more per day - Annual permit fee: ~~\$200.00~~ \$205.00.

24. Chemicals labeled WARNING for toxics and pesticides: Minimum quantities: One pint or one pound per load or more - Annual permit fee: ~~\$345.00~~ \$355.00.

25. Pharmaceutical products. Minimum quantities: More than five gallons or 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

26. Adhesives, sealants, coatings, or catalysts. Minimum quantities: More than five gallons or 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

27. Material containing between 25 and 100 percent of the maximum concentration of any Toxic Characteristic Leaching Procedure (TCLP) listed chemical as referenced in 30 CFR 261.24, Table 1 or that exceeds a concentration of 0.3 mg/kg of nickel. Minimum quantities: More than five gallons or 43 pounds per month - Annual permit fee: ~~\$345.00~~ \$355.00.

28. Hazardous or potentially hazardous waste or chemicals labeled "DANGER." Any quantity requires a permit - Annual permit fee: ~~\$345.00~~ \$355.00.

Group VI: Miscellaneous

29. Treated or untreated infectious waste from hospitals. Any quantity requires a permit - Annual permit fee: ~~\$345.00~~ \$355.00.

30. Treated or untreated infectious waste from other than hospitals. Any quantity requires a permit - Annual permit fee: \$45.00

31. Waste containing or likely to contain polychlorinated biphenyls (PCB). Any quantity requires a permit - Annual permit fee: ~~\$200.00~~ \$205.00.

**REGULAR MEETING
AUGUST 8, 2016
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32. Waste containing asbestos. Wastes from National Emission Standards of Hazardous Air Pollutants (NESHAP) and Nebraska Department of Health (NDOH) permitted removal projects in Lincoln and Lancaster County do not require a Special Waste Permit.

All other asbestos waste material in any quantity requires a permit - Annual permit fee: \$75.00.

33. Material other than asbestos that could create a health hazard if airborne. Any quantity requires a permit - Annual permit fee: ~~\$200.00~~ \$205.00.

34. Wood that has been treated with hazardous or toxic chemicals. Quantities more than 43 pounds per month - Annual permit fee: \$75.00.

35. Any other solid waste which, because of its physical, chemical, or biological characteristics, requires special handling, treatment, or disposal methodologies in order to protect public health, safety, and the environment. Any quantity requires a permit - Annual permit fee: \$200.00 \$205.00.

F. General

1. If the Health Department identifies a new special waste stream due to process changes or otherwise, such special waste stream shall require an additional application, permit, and permit fee even if the special waste generator has an existing permit for a separate waste stream, including an existing permit for the same waste or waste category.

2. New industries, commercial operations, or home occupations disposing special wastes shall file a completed inventory/permit application with the Lincoln-Lancaster county Health Department within six months.

3. Inventory/permit applications from existing special waste generators must be filed within 45 days of notification by the Health Director. If, after notice has been sent, an inventory/permit application is received by the Lincoln-Lancaster County Health Department after 45 days or if the application is postmarked after the 45-day period, the resulting permit, if issued, will be assessed an additional \$75.00.

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

A. Group 1: Wastes That May contain Free Liquids

1. Cooking oil and grease. Any quantity going to the Theresa Street Wastewater Treatment Plant Dump Station requires a permit, which permit may be issued as a blanket permit covering multiple disposals as provided on the permit. Annual Permit Fees: None.

Waste in excess of one gallon per month or one pound per load disposed at a waste disposal site other than the Theresa Street Wastewater Treatment Plant Dump Station requires a Special Waste Permit. Annual permit fee: ~~\$205.00~~ \$210.00.

2. Cooking grease trap waste. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station. Annual permit fee: None.
For all other disposal sites. Annual permit fee: ~~\$205.00~~ \$210.00.

3. Mud or sand from sumps or traps. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station. Annual permit fee: None.
For all other disposal sites. Annual permit fee: ~~\$205.00~~ \$210.00.

4. Septic tank waste. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plan Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fee: ~~\$205.00~~ \$210.00.

5. Chemicals and waste from portable or chemical toilets. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fee: ~~\$205.00~~ \$210.00.

6. Sewage or other organic residues or sludges. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plan Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fees: ~~\$205.00~~ \$210.00.

7. Sludges containing a liquid concentration of 80% or more by weight or material producing free liquids in a Standard Paint Filter Test. Any quantity requires a permit.
Disposal at the Theresa Street Wastewater Treatment Plant Dump Station - Annual permit fee: None.
For all other disposal sites - Annual permit fee: ~~\$205.00~~ \$210.00.

Group II: Petroleum-based Wastes

8. Petroleum type grease trap waste. Any quantity requires a permit. Annual permit fee: ~~\$355.00~~ \$365.00.

9. Sludges from petroleum tanks. Any quantity requires a permit - Annual permit fee: ~~\$355.00~~ \$365.00.

10. a. Used oil filters. Any quantity requires an annual permit - Annual permit fees:
Less than 220 pounds per month - ~~\$75.00~~ \$80.00.
220 pounds or more a month - ~~\$355.00~~ \$365.00.

b. Petroleum contaminated soil and granular absorbents. Permitted Quantity:
220 pounds per month or more - Annual permit fee: ~~\$355.00~~ \$365.00.

c. Petroleum contaminated refuse or other materials except oil filters, soil and granular absorbents. Any quantity requires a permit - Annual permit fee:
Quantities up to 220 pounds per month - ~~\$75.00~~ \$80.00.
Quantities 220 pounds or more per month - ~~\$355.00~~ \$365.00.

11. Petroleum contaminated water. Permitted quantity: 55 gallons per month or more -
Annual permit fee: ~~\$355.00~~ \$365.00.

12. Oil, lubricants, hydraulic fluids, fuels, and other petroleum products. Any quantity requires a permit. Permit issued only for incineration in a used oil burning heating unit - Annual permit fee: ~~\$45.00~~ \$50.00.

Group III: Empty Containers

13. Pressurized containers or containers that may explode upon crushing. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites: any quantity requires a permit - Annual Permit fee: ~~\$205.00~~ \$210.00.

14. Containers over five gallons in size. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit. For all other disposal sites: Any quantity requires a permit - Annual Permit fee: ~~\$205.00~~ \$210.00.

15. Empty containers labeled "DANGER" or which once contained hazardous material. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites: Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

16. Fuel tanks. Empty containers meeting criteria for safe disposal at the City of Lincoln's Sanitary Landfill adopted according to § 8.32.070 will not require a permit.

For all other disposal sites - Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

Group IV: Solvents, Absorbents, Filters, and Residues

17. Solvents, degreasers, strippers, thinners, and related products. Any quantity requires a permit. Annual permit fee: ~~\$205.00~~ \$210.00.

18. Refuse containing solvents, degreasers, strippers, or thinners. Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

19. Lime or other inorganic residues or sludges. Minimum quantities: twenty-five gallons or 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

20. Paint dry waste, filters, and paint contaminated material. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

21. Fly ash. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

22. Bottom ash. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

Group V: Hazardous or Toxic Chemicals or Chemical Products

23. Antifreeze or treatment chemicals for boilers, heat exchangers, cooling towers, and similar uses. Minimum quantities: Five gallons or more per day - Annual permit fee: ~~\$205.00~~ \$210.00.

24. Chemicals labeled WARNING for toxics and pesticides: Minimum quantities: One pint or one pound per load or more - Annual permit fee: ~~\$355.00~~ \$365.00.

25. Pharmaceutical products. Minimum quantities: More than five gallons or 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

26. Adhesives, sealants, coatings, or catalysts. Minimum quantities: More than five gallons or 43 pounds per month - Annual permit fee: ~~\$355.00~~ \$365.00.

27. Material containing between 25 and 100 percent of the maximum concentration of any Toxic Characteristic Leaching Procedure (TCLP) listed chemical as referenced in 30 CFR 261.24, Table 1 or that exceeds a concentration of 0.3 mg/kg of nickel. Minimum quantities: More than five gallons or 43 pounds per month - annual permit fee: ~~\$355.00~~ \$365.00.

28. Hazardous or potentially hazardous waste or chemicals labeled "DANGER." Any quantity requires a permit - Annual permit fee: ~~\$355.00~~ \$365.00.

Group VI: Miscellaneous

29. Treated or untreated infectious waste from hospitals. Any quantity requires a permit - Annual permit fee: ~~\$355.00~~ \$365.00.

30. Treated or untreated infectious waste from other than hospitals. Any quantity requires a permit - Annual permit fee: ~~\$45.00~~ \$50.00.

31. Waste containing or likely to contain polychlorinated biphenyls (PCB). Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

32. Waste containing asbestos. Wastes from National Emission Standards of Hazardous Air Pollutants (NESHAP) and Nebraska Department of Health (NDOH) permitted removal projects in Lincoln and Lancaster County do not require a Special Waste Permit.

All other asbestos waste material in any quantity requires a permit - Annual permit fee: ~~\$75.00~~ \$80.00.

33. Material other than asbestos that could create a health hazard if airborne. Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

34. Wood that has been treated with hazardous or toxic chemicals. Quantities more than 43 pounds per month - Annual permit fee: ~~\$75.00~~ \$80.00.

35. Any other solid waste which, because of its physical, chemical, or biological characteristics, requires special handling, treatment, or disposal methodologies in order to protect public health, safety, and the environment. Any quantity requires a permit - Annual permit fee: ~~\$205.00~~ \$210.00.

F. General

1. If the Health Department identifies a new special waste stream due to process changes or otherwise, such special waste stream shall require an additional application, permit, and permit fee even if the special waste generator has an existing permit for a separate waste stream, including an existing permit for the same waste or waste category.

2. New industries, commercial operations, or home occupations disposing special wastes shall file a completed inventory/permit application with the Lincoln-Lancaster county Health Department within six months.

3. Inventory/permit applications from existing special waste generators must be filed within 45 days of notification by the Health Director. If, after notice has been sent, an inventory/permit application is received by the Lincoln-Lancaster County Health Department after 45 days or if the application is postmarked after the 45-day period, the resulting permit, if issued, will be assessed an additional \$75.00.

BE IT FURTHER RESOLVED that City Council Resolution No. A-88526 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.38 PUBLIC SWIMMING POOLS ORDINANCE, INCLUDING SWIMMING POOL PERMIT FEES; NEW PERMIT/PLAN REVIEW; RENEWAL, ADDITIONAL SPA; LINCOLN SWIMMING POOL OPERATOR; AND LINCOLN POOL WATER QUALITY TESTER CERTIFICATE FEES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89911 WHEREAS, the City Council adopted Resolution No. A-88527 on September 8, 2014 and is authorized under Chapter 8.38 of the Lincoln Municipal Code to establish and revise fees which the City may charge for public swimming pools; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.38 Public Swimming Pools and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Swimming Pool Permit Fees; New; Renewal; Variance.

(a) Swimming Pool:

New Permit/Plan Review	\$495.00 <u>\$510.00</u>
Renewal	\$385.00 <u>\$395.00</u>
Additional Spa	\$125.00 <u>\$130.00</u>

Lincoln Swimming Pool Operator and Lincoln Pool Water Quality Tester Certificates; Fees

(a) There shall be a fee of \$20.00 for each application for a Lincoln Swimming Pool Operator certificate.

(b) There shall be a fee of \$20.00 for each application for a Lincoln Pool Water Quality Tester certificate.

(c) Each certificate shall be valid for two (2) years from the date of issuance.

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Swimming Pool Permit Fees; New; Renewal; Variance.

(a) Swimming Pool:

New Permit/Plan Review	\$510.00 <u>\$525.00</u>
Renewal	\$395.00 <u>\$405.00</u>
Additional Spa	\$130.00 <u>\$135.00</u>

Lincoln Swimming Pool Operator and Lincoln Pool Water Quality Tester Certificates; Fees

(a) There shall be a fee of \$20.00 for each application for a Lincoln Swimming Pool Operator certificate.

(b) There shall be a fee of \$20.00 for each application for a Lincoln Pool Water Quality Tester certificate.

(c) Each certificate shall be valid for two (2) years from the date of issuance.

BE IT FURTHER RESOLVED that City Council Resolution No. A-88527 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.44 WATER WELLS, INCLUDING WATER WELL CONSTRUCTION PERMITS; ANNUAL WATER WELL PERMITS; WATER WELL REPAIR PERMIT; AND VARIANCE APPLICATION (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89912 WHEREAS, the City Council adopted Resolution No. A-88528 on September 8, 2014 and is authorized under Chapter 8.44 of the Lincoln Municipal Code to establish and revise fees which the City may charge for a water well permit, repairs to water wells, or variance requests; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 8.44 Water Wells and has determined that certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;
NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Permit for Water Well; Fees

- (1) Water well construction permit ~~\$210.00~~ \$215.00
- (2) Annual water well permits ~~\$125.00~~ \$130.00
- (3) Water well repair permit ~~\$115.00~~ \$120.00
- (4) Variance application \$100.00

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Permit for Water Well; Fees

- (1) Water well construction permit ~~\$215.00~~ \$220.00
- (2) Annual water well permits ~~\$130.00~~ \$135.00
- (3) Water well repair permit ~~\$120.00~~ \$125.00
- (4) Variance application \$100.00

BE IT FURTHER RESOLVED that City Council Resolution No. A-88528 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 24.38
ONSITE WASTEWATER TREATMENT SYSTEMS, INCLUDING ONSITE WASTEWATER
TREATMENT SYSTEM CONSTRUCTION PERMIT; ONSITE WASTEWATER SYSTEM REPAIR
PERMIT; LIQUID WASTE HAULERS CLEANER’S PERMIT; REGISTRATION CERTIFICATE FOR
MASTER INSTALLER, JOURNEYMAN INSTALLER, INSPECTOR, SOIL EVALUATOR, AND
MULTIPLE CATEGORY; PERMIT EXTENSION FEE; VARIANCE FEE; REINSTATEMENT FEE;
AND DEVELOPMENT AREA REVIEW FEES WHICH INCLUDES A BASE FEE, PER LOT FEE,
AND A MAXIMUM COMBINED BASE AND PER LOT FEE (ACTION DATE: 8/08/16) - CLERK read
the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89913 WHEREAS, the City Council adopted Resolution No. A-88529 on September 8, 2014 and is
authorized under Chapter 24.38 of the Lincoln Municipal Code to establish and revise fees which the City
may charge for construction and repair of onsite wastewater treatment systems, cleaner’s permit, installer
permits, and for development area reviews; and

WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to
administer, operate, and enforce LMC 24.38 Onsite Wastewater Treatment Systems and has determined that
certain revisions are appropriate; and

WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and
recommends their adoption;

WHEREAS, the proposed fees are before the City Council for its consideration and approval;
NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

Commencing on the effective date of this resolution, the following schedule of costs for fees shall
be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

The following fees for permits are required:

- (a) On-site wastewater treatment system construction permit fee.....~~\$385.00~~ \$395.00
~~Non-standard System.....~~ \$525.00 \$540.00
- (b) On-site wastewater treatment system repair alteration fee.....~~\$210.00~~ \$215.00
- (c) Cleaner’s permit fee (annual).....~~\$430.00~~ \$440.00

This permit is issued on an annual basis, expires on May 31 of each year, and is
renewable on payment of the annual fee and demonstrated compliance with the
requirements of this chapter.

- (d) Any person who secures a registration certificate pursuant to this chapter shall pay the
following respective fee:

Certified Professional.....\$35.00

- (e) Permit Extension Fee.....~~\$110.00~~ \$115.00

- (f) Variance Fee.....~~\$210.00~~ \$215.00

- (g) Reinstatement Fee

Cleaner and Liquid Waste Hauler.....~~\$200.00~~ \$205.00

Certified Professional.....~~\$35.00~~

- (h) Development area review fees

A base fee and a per lot fee shall be paid for Health Director review of any development
area as follows:

Base fee..... ~~\$385.00~~ \$395.00

Per lot fee.....~~\$30.00~~ \$35.00

Maximum combined base fee and per lot fee.....~~\$1,305.00~~ \$1,340.00

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

The following fees for permits are required:

- (a) On-site wastewater treatment system construction permit fee.....~~\$395.00~~ \$405.00
- (b) On-site wastewater treatment system repair alteration fee.....~~\$215.00~~ \$220.00
- (c) Cleaner's permit fee (annual).....~~\$440.00~~ \$450.00
This permit is issued on an annual basis, expires on May 31 of each year, and is renewable on payment of the annual fee and demonstrated compliance with the requirements of this chapter.
- (d) Any person who secures a registration certificate pursuant to this chapter shall pay the following respective fee:
Certified Professional.....~~\$35.00~~ \$40.00
- (e) Permit Extension Fee.....~~\$110.00~~ \$120.00
- (f) Variance Fee.....~~\$215.00~~ \$220.00
- (g) Reinstatement Fee
Cleaner and Liquid Waste Hauler.....~~\$205.00~~ \$210.00
Certified Professional.....~~\$35.00~~ \$40.00
- (h) Development area review fees
A base fee and a per lot fee shall be paid for Health Director review of any development area as follows:
Base fee..... \$395.00
Per lot fee..... \$35.00
Maximum combined base fee and per lot fee..... \$1,340.00

BE IT FURTHER RESOLVED that City Council Resolution No. A-88529 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 24.42 REGULATION OF PROPERTY TRANSFERS WITH ONSITE SYSTEMS CODE, INCLUDING EVALUATION AND REVIEW OF PROPERTY TRANSFER INSPECTOR REPORTS; AND PROPERTY TRANSFER INSPECTOR PERMIT FEES, WHICH INCLUDES ONSITE WASTEWATER TREATMENT SYSTEM PROPERTY TRANSFER INSPECTOR (OWWTS), ONSITE WASTE SUPPLY SYSTEM PROPERTY TRANSFER INSPECTOR (OWSS), OR BOTH THE OWWTS AND OWSS PERMITS (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89914 WHEREAS, the City Council adopted Resolution No. A-88530 on September 8, 2014 and is authorized under Chapter 24.42 of the Lincoln Municipal Code to establish and revise fees which the City may charge for evaluation and reviews of property transfers with onsite wastewater or water systems; and WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 23.42 Regulation of Property Transfers with Onsite Systems and has determined that certain revisions are appropriate; and WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption; WHEREAS, the proposed fees are before the City Council for its consideration and approval; NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska: Commencing on the effective date of this resolution, the following schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

Regulation of Property Transfers with Onsite Systems; Fees.

- (a) Fee for evaluation and review of Property Transfer Inspector reports and any necessary site visits by Health Director ~~\$210.00~~ \$215.00
- (b) Property Transfer Inspector permit fees:
On-site Wastewater Treatment System (OWWTS) Property Transfer Inspector.....\$35.00
On-site Water Supply System (OWSS) Property Transfer Inspector.....\$35.00
Both OWWTS & OWSS.....\$60.00

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

Regulation of Property Transfers with Onsite Systems; Fees.

- (a) Fee for evaluation and review of Property Transfer Inspector reports and any necessary site visits by Health Director ~~\$215.00~~ \$220.00
- (b) Property Transfer Inspector permit fees:
On-site Wastewater Treatment System (OWWTS) Property Transfer Inspector.....~~\$35.00~~ \$40.00
On-site Water Supply System (OWSS) Property Transfer Inspector.....~~\$35.00~~ \$40.00
Both OWWTS & OWSS.....~~\$60.00~~ \$65.00

BE IT FURTHER RESOLVED that City Council Resolution No. A-88530 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 28.02 REGULATIONS FOR ILLICIT DISCHARGES, INCLUDING RIGHT OF ENTRY; INSPECTION AND DETECTION; AND INSPECTION FEES (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89915 WHEREAS, the City Council adopted Resolution No. A-88532 on September 8, 2014 and is authorized under Chapter 28.02 of the Lincoln Municipal Code to establish and revise fees which the City may charge for National Pollutant Discharge Elimination System (NPDES) stormwater compliance inspections; and
WHEREAS, the Health Director has re-evaluated the estimated costs and available resources to administer, operate, and enforce LMC 28.02 Illicit Discharges and has determined that certain revisions are appropriate; and
WHEREAS, the Lincoln-Lancaster County Board of Health has reviewed the proposed fees and recommends their adoption;
WHEREAS, the proposed fees are before the City Council for its consideration and approval;
NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:
Commencing on the effective date of this resolution, the following schedule of costs for fees shall be as follows:

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2016 TO AUGUST 31, 2017

<u>NPDES Permit Type</u>	<u>Annual Fee</u>
General.....	\$485.00 <u>\$500.00</u>
No Exposure.....	\$350.00 <u>\$360.00</u>
Subject to permit, not yet issued.....	\$350.00 <u>\$360.00</u>
Late payment within 30 days after March 1.....	Annual fee plus 33% of annual fee
Late payment after 30 days after March 1.....	Annual fee plus 67% of annual fee

SCHEDULE OF COSTS FOR SEPTEMBER 1, 2017 TO AUGUST 31, 2018

<u>NPDES Permit Type</u>	<u>Annual Fee</u>
General.....	\$500.00 <u>\$515.00</u>
No Exposure.....	\$360.00 <u>\$370.00</u>
Subject to permit, not yet issued.....	\$360.00 <u>\$370.00</u>
Late payment within 30 days after March 1.....	Annual fee plus 33% of annual fee
Late payment after 30 days after March 1.....	Annual fee plus 67% of annual fee

BE IT FURTHER RESOLVED that City Council Resolution No. A-88532 shall be superseded by the terms of this resolution.

Introduced by Trent Fellers
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ADOPTING THE PROPOSED AMENDED FEE SCHEDULE FOR APPLICATION REVIEWS UNDER CHAPTER 14.20, TITLE 26, AND TITLE 27 OF THE LINCOLN MUNICIPAL CODE AND AMENDMENTS TO THE LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN, AND THE IMPLEMENTATION OF A PORTION OF THE FEE SUPPORTING TECHNOLOGY IMPROVEMENTS ASSOCIATED WITH APPLICATION REVIEWS AND COMPREHENSIVE PLAN AMENDMENT, WITH AN EFFECTIVE DATE OF OCTOBER 3, 2016 (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89916 WHEREAS, in accordance with Section 14.20.020 of the Lincoln Municipal Code, the fee the Planning Department may charge for application reviews for vacation of public ways under Chapter 14.20 of the Lincoln Municipal Code must be approved by resolution of the City Council; and
WHEREAS, in accordance with Section 26.33.010 of the Lincoln Municipal Code, the fees which the Planning Department may charge for application reviews under Title 26 of the Lincoln Municipal Code (Land Subdivision Ordinance) must be approved by resolution of the City Council; and
WHEREAS, in accordance with Section 27.80.010 of the Lincoln Municipal Code, the fees which the Planning Department may charge for application reviews under Title 27 of the Lincoln Municipal Code (Zoning Ordinance) must be approved by resolution of the City Council; and
WHEREAS, the Planning Director is requesting authorization to collect an increased filing fee to review an application to amend the Lincoln-Lancaster County Comprehensive Plan; and
WHEREAS, the Planning Department has proposed the Fee Schedule for application reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code and amendments to the Lincoln-Lancaster County Comprehensive Plan attached hereto and recommends its adoption; and
WHEREAS, the proposed fees are before the City Council for its consideration and approval; and
WHEREAS, the City Council finds that the proposed fees, based on the reasonable costs of providing staff to review the applications, represent reasonable maximum fees to be charged for said reviews.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the Fee Schedule for application reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code and amendments to the Lincoln-Lancaster County Comprehensive Plan, attached hereto

and made a part hereof by reference, is hereby approved.

BE IT FURTHER RESOLVED that the fees in the attached fee schedule shall take effect on October 3, 2016.

BE IT FURTHER RESOLVED that this Resolution supercedes and replaces the fee schedule for application reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code and amendments to the Lincoln-Lancaster County Comprehensive Plan established by Resolution No. A-86941.

Introduced by Trent Fellers

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ADOPTING A NEW FEE SCHEDULE TO INCREASE THE LANDFILL USER FEE FROM \$17.75 PER TON TO \$20.75 PER TON, EFFECTIVE JANUARY 1, 2017 AND TO INCREASE THE LANDFILL USER FEE FROM \$20.75 PER TON TO \$23.75 PER TON, EFFECTIVE JANUARY 1, 2018 (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89917 WHEREAS, the City Council is authorized, pursuant to Section 8.32.100 of the Lincoln Municipal Code, to establish or revise, by resolution, fees to be charged to any person for the privilege of using any public landfill or other waste disposal facility owned by the City, and;

WHEREAS, the City Council deems it necessary to revise the fees for use of the City's public landfill and other waste disposal facilities as last revised by Resolution No. ~~A-86945~~

A-88489 ~~passed~~ adopted by the City Council on ~~August 8, 2012~~ August 18, 2014;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That effective ~~September 1, 2015~~, January 1, 2017 and January 1, 2018 the following schedules of use charges are hereby established and adopted:

SCHEDULE A – Small Vehicle Transfer Station

FLAT FEE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Small Vehicle Transfer Station:

Cars per vehicle trip	\$3.00
Passenger Vehicles per vehicle trip	\$6.00
Cargo Vehicles per vehicle trip	\$11.00
Trailers per vehicle trip	\$11.00
Any above vehicle and trailer per vehicle trip	\$14.00
Any uncovered load will be assessed an additional amount equal to 50% of the charge for such load.	

SCHEDULE B – Municipal Solid Waste Landfill

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet, and all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Municipal Solid Waste Landfill on a load weight basis as follows:

~~\$17.75 Per Ton~~

~~The minimum charge shall be equal to the per ton rate of \$17.75.~~

	<u>Effective</u> <u>September 1, 2015</u>	<u>Effective</u> <u>January 1, 2017</u>	<u>Effective</u> <u>January 1, 2018</u>
<u>Per Ton</u>	<u>\$17.75</u>	<u>\$20.75</u>	<u>\$23.75</u>
<u>Minimum Charge</u>	<u>\$17.75</u>	<u>\$20.75</u>	<u>\$23.75</u>

~~For periods that the scale is inoperative unavailable, the rate charged shall be \$5.85 per cubic yard.~~

	<u>Effective</u> <u>September 1, 2015</u>	<u>Effective</u> <u>January 1, 2017</u>	<u>Effective</u> <u>January 1, 2018</u>
<u>Per Cubic Yard</u>	<u>\$5.85</u>	<u>\$6.75</u>	<u>\$7.75</u>

Any uncovered load will be assessed an additional amount equal to 50% of the computed charge for such load. The minimum fee for uncovered loads shall be \$50.00.

SCHEDULE C – Compost Facility

FLAT FEE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Compost Facility:

Cars per vehicle trip.....	\$3.00
Passenger Vehicles per vehicle trip.....	\$6.00
Cargo Vehicles per vehicle trip.....	\$11.00
Trailers per vehicle trip.....	\$11.00
Any above vehicle and trailer per vehicle trip.....	\$14.00
Any uncovered load will be assessed an additional amount equal to 50% of the charge for such load.	

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than a one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet and all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Compost Facility on a load weight basis as follows:

\$15.75 Per Ton

The minimum charge shall be equal to the per ton rate of \$15.75. For periods that the scale is ~~inoperative~~ unavailable, the rate charged shall be \$8.00 per cubic yard. Any uncovered load will be

assessed an additional amount equal to 50% of the computed charge for such load. The minimum fee for uncovered loads shall be \$50.00.

SCHEDULE D – Construction and Demolition Debris Landfill

FLAT RATE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Construction and Demolition Debris Landfill:

Cars per vehicle trip.....	\$4.00
Passenger Vehicles per vehicle trip.....	\$4.00
Cargo Vehicles per vehicle trip.....	\$4.00
Trailers per vehicle trip.....	\$4.00
Any above vehicle and trailer per vehicle trip.....	\$4.00

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than a one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet, all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Construction and Demolition Debris Landfill on a load weight basis:

\$4.00 Per Ton

The minimum charge shall be equal to the per ton rate of \$4.00. For periods that the scale is inoperative unavailable, the rate charged shall be \$4.00 per cubic yard.

SCHEDULE E – Special Wastes

Special Wastes as defined by Municipal Code 8.32.080		
1a. Special Wastes landfilled directly with other refuse at time of disposal.....	Schedule B per ton rate plus \$5.00 per permit administrative fee	
Minimum Charge (1 ton rate plus \$5.00)	\$23.00	
	<u>Effective</u>	<u>Effective</u>
	<u>January 1, 2017</u>	<u>January 1, 2018</u>
Minimum Charge (1 ton rate plus \$5.00)	<u>\$25.75</u>	<u>\$28.75</u>

1b. Special Wastes requiring segregation from other refuse at time of disposal (including, but not limited to, asbestos containing materials).....	Schedule B per ton rate plus \$25.00 per load special handling fee	
Minimum Charge (1 ton rate plus \$25.00)	\$43.00	
	<u>Effective</u>	<u>Effective</u>
	<u>January 1, 2017</u>	<u>January 1, 2018</u>
Minimum Charge (1 ton rate plus \$25.00)	<u>\$45.75</u>	<u>\$48.75</u>

1c. Cars, Passenger Vehicles, Cargo Vehicles and Trailers as defined in Schedule A with Special Wastes.....	Applicable Schedule A fee plus \$5.00 per permit administrative fee	
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SCHEDULE F - Special Fees

1. All whole and processed tires (portions of tires)	
1a. Car passenger tire or light truck tire.....	\$3.00 each plus applicable Schedule A or Schedule B fees
1b. Heavy (over-the-road) truck tire.....	\$6.50 each plus applicable Schedule A or Schedule B fees
1c. Farm or industrial (off-road) tire.....	\$11.50 each plus applicable Schedule A or Schedule B fees
2. All appliances prohibited from land disposal.....	\$5.00 each plus applicable Schedule A or Schedule B fees
3. The following fee shall be assessed for wastes which are unacceptable, including but not limited to out-of-county wastes, or prohibited from land disposal, if they are found to exist in a load and the vehicle driver fails to remove the waste or place the waste in the designated areas.	
Unacceptable waste loads rejected.....	\$50.00 <u>\$100.00</u> per occurrence

The Director of Public Works & Utilities shall have the authority to negotiate for and collect fees on any wastes that may require unusual or special handling considerations other than those wastes addressed herein. The Director of Public Works & Utilities shall have the authority to issue rules and regulations which further define vehicle types, uncovered loads, unacceptable wastes and other policies for the City's solid waste disposal facilities and operations.

The Mayor shall have the authority to waive all or any portion of the scheduled fees in the event of an emergency or natural disaster which creates the need for immediate disposal of wastes resulting from such emergency.

BE IT FURTHER RESOLVED that Resolution No. ~~A-86945~~ A-88489, adopted by the City Council on ~~August 8, 2012~~ August 18, 2014, is hereby superseded.

Introduced by Trent Fellers

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Raybould; NAYS: Camp, Lamm.

ESTABLISHING A NEW RATE SCHEDULE FOR CUSTOMERS OF THE LINCOLN WASTEWATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM’S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2016/2017 AND FY 2017/2018 (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89918 WHEREAS, the City Council of Lincoln, Nebraska, is authorized under Sections 17.60.020 and 17.60.030 of the Lincoln Municipal Code to establish wastewater charges for all customers of the Lincoln Wastewater System.

WHEREAS, the wastewater rate increases are based upon financial projections which demonstrate the necessity for the increase to support the construction of needed facility improvements, debt service, and the operation and maintenance of the system to provide community-wide wastewater service.

WHEREAS, Lincoln’s wastewater infrastructure is a necessary component and is required under city charter to be provided to all areas served within the city limits.

And WHEREAS, Lincoln’s wastewater rates have historically remained low and, even with the proposed rate increases, will continue this tradition of competitive rates within the region and nationally.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: Effective with the “H” billing cycle commencing in November ~~2014~~ 2016 and November ~~2015~~ 2017 the following schedule of wastewater use charges is hereby established and adopted:

BASIC WASTEWATER USE CHARGE

- (a) The basic wastewater use unit charge is hereby established as 185.9 cents.
- (b) For any given residential property, the basic wastewater use charge for each billing cycle shall be determined by multiplying for each such cycle the total amount of water, in hundreds of cubic feet, metered for said property during a billing cycle chosen by the Director from the most recent past winter, by the basic wastewater use unit charge.
In the case of change of occupancy of residential property, if the Director reasonably determines that to compute the basic wastewater use charge for a given billing cycle upon the amount of water used by such property during such winter billing cycle would be inequitable either to the City or to the user, he shall use the average amount of water used by like users during such winter billing cycle to compute such charge.
- (c) For any non-residential property, the basic wastewater use charge for a given billing cycle shall be determined by multiplying for each cycle the amount of water or wastewater, in hundreds of cubic feet, measured for said property during such cycle, by the basic wastewater use unit charge.
- (d) Non-residential users shall be given credit, at the same rate, for water not discharged into the sanitary sewers provided such water is separately metered with the approval of the Public Utilities Department and at the customer’s expense.
- (e) Where a wastewater flow meter or other wastewater measuring device is required or permitted by the Director and is used to measure the volume of wastewater discharged into the Lincoln Wastewater System, such wastewater use charge shall be computed thereon at the basic wastewater use unit charge.

SERVICE CHARGE

Regardless of whether a wastewater meter is used, there shall be a service charge per month to each property using the Lincoln Wastewater System, determined by the number and size of the water meters serving such property, to-wit:

	Effective November 2014 Service Charge	Effective November 2015 Service Charge	Effective November 2016 Service Charge	Effective November 2017 Service Charge
Water Meter Size				
5/8 inch	\$1.98	\$2.32	<u>\$2.80</u>	<u>\$3.32</u>
3/4 inch	3.85	4.50	<u>5.42</u>	<u>6.44</u>
1 inch	6.86	8.01	<u>9.65</u>	<u>11.46</u>
1-1/2 inch	13.59	15.88	<u>19.14</u>	<u>22.72</u>
2 inch	21.77	25.43	<u>30.65</u>	<u>36.39</u>
3 inch	40.89	47.77	<u>57.57</u>	<u>68.35</u>
4 inch	68.20	79.67	<u>96.02</u>	<u>113.99</u>
6 inch	136.28	159.20	<u>191.87</u>	<u>227.79</u>
8 inch	218.06	254.75	<u>307.03</u>	<u>364.50</u>
10 inch	313.57	366.32	<u>441.50</u>	<u>524.14</u>

WASTEWATER RATES TO CUSTOMERS
OUTSIDE THE CITY LIMITS

Customers located outside the City Limits of Lincoln and served by the Lincoln Wastewater System shall pay no less than the wastewater rates charged to customers within the City Limits of Lincoln for service furnished them by the Lincoln Wastewater System.

BE IT FURTHER RESOLVED that Resolution No. ~~A-86944~~ A-88488, adopted by the City Council on ~~August 8, 2012~~ August 18, 2014, is hereby superseded.

Introduced by Trent Fellers

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: Camp.

ESTABLISHING A NEW RATE SCHEDULE FOR THE LINCOLN WATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM’S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2016/2017 AND FY 2017/2018 (ACTION DATE: 8/08/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-89919 WHEREAS, the City Council of Lincoln, Nebraska, is authorized under Section 17.22.010 of the Lincoln Municipal Code to establish water use charges for all customers of the Lincoln Water System.

WHEREAS, the water rate increases are based upon financial projections which demonstrate the necessity for the increase to support the construction of needed facility improvements, debt service, and the operation and maintenance of the system to provide community-wide water service.

WHEREAS, Lincoln’s water infrastructure is a necessary component and is required under city charter to be provided to all areas served within the city limits.

And WHEREAS, Lincoln’s water rates have historically remained low and, even with the proposed rate increases, will continue this tradition of competitive rates within the region and nationally.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

Effective with the “H” billing cycle commencing in November ~~2014~~ 2016 and November ~~2015~~ 2017, the following schedules of water use charges are hereby established and adopted:

SCHEDULE A

The following rate schedule shall apply to all residential property. “Residential Property” shall be defined as property consisting of dwelling units. If there is more than one use per master meter on any one property including the residential use, the schedule to be used will be determined as residential, if the residential portion is 50 percent or more of the area of the building.

	Effective November 2014 <u>2016</u>	Effective November 2015 <u>2017</u>
100 to 800 cubic feet	\$1.344	\$1.344
801 to 2,300 cubic feet	1.911	1.911
2,301 cubic feet and up	2.961	2.961

SCHEDULE B

The following rate schedule shall apply for the current calendar year to all non-residential property that used less than 12,000,000 cubic feet of water in the previous calendar year:

	Effective November 2014 <u>2016</u>	Effective November 2015 <u>2017</u>
100 to 8,000 cubic feet	\$1.344	\$1.344
8,001 cubic feet and up	1.911	1.911

SCHEDULE C

The following rate schedule shall apply for the current year to all non-residential property that used more than 12,000,000 cubic feet of water in the previous calendar year. On a calendar year basis, a “base usage” of each high user customer will be determined. The base usage is an average of the water usage of each high user customer for the previous three (3) calendar years.

The following fees would apply:

	Effective November 2014 <u>2016</u>	Effective November 2015 <u>2017</u>
Base and below		
(per 100 cubic feet)	\$127.6	\$127.6
Water usage 5% - 15% above base (per 100 cubic feet)	132.3	132.3
Water usage 15% - 25% above base (per 100 cubic feet)	136.5	136.5
Water usage over 25% above base (per 100 cubic feet)	140.7	140.7

SCHEDULE D - PROVISIONS APPLICABLE -
TO ALL TYPES OF WATER SERVICE

Service Charge. There shall be a Service Charge per month to each property using the Lincoln Water System, determined by the number and size of the water meter, or meters, serving such property, to-wit:

	Effective November 2014	Effective November 2015	Effective November 2016	Effective November 2017
Water Meter Size	Service Charge	Service Charge	Service Charge	Service Charge
5/8 inch	\$4.37	\$4.95	<u>\$5.70</u>	<u>\$6.56</u>
3/4 inch	6.61	7.49	<u>8.62</u>	<u>9.92</u>
1 inch	11.04	12.50	<u>14.39</u>	<u>16.56</u>
1-1/2 inch	22.02	24.94	<u>28.70</u>	<u>33.03</u>
2 inch	35.25	39.91	<u>45.93</u>	<u>52.86</u>
3 inch	66.13	74.88	<u>86.18</u>	<u>99.17</u>
4 inch	110.24	124.82	<u>143.66</u>	<u>165.31</u>
6 inch	220.42	249.58	<u>287.25</u>	<u>330.55</u>
8 inch	352.68	399.34	<u>459.62</u>	<u>528.89</u>
10 inch	507.02	574.10	<u>660.76</u>	<u>760.34</u>

WATER RATES TO CUSTOMERS OUTSIDE
THE CITY LIMITS

Customers located outside the City Limits of Lincoln and served by the water system of the City of Lincoln shall pay no less than the water rates charged to customers within the City Limits of Lincoln for water furnished them by the water system of the City of Lincoln.

BE IT FURTHER RESOLVED that Resolution No. ~~A-86943~~ A-88487, adopted by the City Council on ~~August 8, 2012~~ August 18, 2014, is hereby superseded.

Introduced by Trent Fellers

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: Camp.

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT, THE PARKS & RECREATION DEPARTMENT, AND THE URBAN DEVELOPMENT DEPARTMENT - CLERK read an ordinance, introduced by Trent Fellers, an ordinance eliminating certain appropriations and approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Water Fund, Wastewater Fund, Street Construction Fund, and Solid Waste Fund for the Public Works & Utilities Department; within the General Revenue Fund for the City Libraries Department; within the Athletic Fee Fund for the Parks & Recreation Department; and within the Parking Facility Bond Series 2010B/2011 Fund and Parking Facilities Construction Fund for the Urban Development Department, the second time.

AMENDING SECTION 8.32.150 OF THE LINCOLN MUNICIPAL CODE TO INCREASE THE OCCUPATION TAX FROM \$11.00 PER TON TO \$12.00 PER TON, EFFECTIVE JANUARY 1, 2017 AND TO INCREASE THE OCCUPATION TAX FROM \$12.00 PER TON TO \$13.00 PER TON, EFFECTIVE JANUARY 1, 2018 - CLERK read an ordinance, introduced by Trent Fellers, an ordinance amending section 8.32.150 of the Lincoln Municipal Code relating to the occupation tax imposed on refuse haulers to increase said occupation tax, effective January 1, 2017 from \$11.00 to \$12.00 per ton, and effective January 1, 2018, from \$12.00 to \$13.00 per ton; and repealing Section 8.32.150 of the Lincoln Municipal Code as hitherto existing, the second time.

ADJOURNMENT

8:17 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of August 8, 2016.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Soulinnee Phan, Deputy City Clerk

Rhonda M. Bice, Office Specialist